

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER 55610/DBP/A400
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/542,392

INTERNATIONAL APPLICATION NO. PCT/JP2004/000319	INTERNATIONAL FILING DATE January 16, 2004	PRIORITY DATE CLAIMED January 17, 2003
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TITLE OF INVENTION
PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING METHOD

APPLICANT(S) FOR DO/EO/US
Yuichi Mori et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

- Items 13 to 23 below concern document(s) or information included:
13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 15. ☐ A **FIRST** preliminary amendment.
 16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 17. ☐ A substitute specification.
 18. ☐ A power of attorney and/or change of address letter.
 19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
 20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
 21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
 22. ☒ Express Mail Label No. **EV 326704552US**
 23. ☒ Other items or information:

Letter Re Completion of Small Entity Status w/Small Entity Declaration Independent Inventor

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/542,392		INTERNATIONAL APPLICATION NO. PCT/JP2004/000319		ATTORNEY'S DOCKET NUMBER 55610/DBP/A400	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee				\$300	\$ \$0.00
25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$ \$0.00
All other situations.				\$200	
26. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations.				\$500	\$ \$0.00
TOTAL OF 24, 25 and 26 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0	/50 = 0		x \$250.00	\$ \$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$ \$0.00	
Independent claims	- 3 =	0	x \$200.00	\$ \$0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
TOTAL FEES ENCLOSED =				\$	\$0.00
				Amount to be	\$
				Amount to be	\$

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **03-1728**. A duplicate copy of this sheet is enclosed.


d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NUMBER: 23363

D. Bruce Prout
Christie, Parker and Hale, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
Phone: 626-795-9900



SIGNATURE
D. Bruce Prout

NAME
20,958

REGISTRATION NUMBER

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NO. EV326704552 US

Applicant : Yuichi Mori, et al. Confirmation No. N/A
Application No. : 10/542,392
Filed : July 15, 2005
Title : PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING
METHOD
Grp./Div. : N/A
Examiner : N/A
Docket No. : 55610/DBP/A400

LETTER RE COMPLETION OF SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

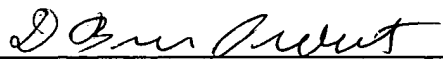
Post Office Box 7068
Pasadena, CA 91109-7068
October 14, 2005

Commissioner:

On September 13, 2005 applicants submitted a request for refund of the filing fee, along with a Verified Statement (Declaration) Claiming Small Entity Status-Small Business Concern for one of the Assignees, namely Mebiol Inc.

Applicant hereby submits the Verified Statement (Declaration) Claiming Small Entity Status Independent Inventor for the remaining Assignee, namely, Yuichi Mori.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
D. Bruce Prout
Reg. No. 20,958
626/795-9900

DBP/djp
Enclosure
DJP PAS647506.1-* -10/11/05 11:48 AM